

EXHIBIT A

UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

WAYNE VAN SCOY,	:	
Plaintiff and	:	Case No. 05-108 (KAJ)
Counterclaim-Defendant	:	
v.	:	
	:	
VAN SCOY DIAMOND MINE OF	:	
DELAWARE, INC.,	:	
KURT VAN SCOY and	:	
DONNA VAN SCOY,	:	
Defendants and	:	
Counterclaim-Plaintiff	:	
	:	

**DEFENDANTS' RESPONSES TO PLAINTIFF'S FIRST SET
OF REQUESTS FOR PRODUCTION OF DOCUMENTS**

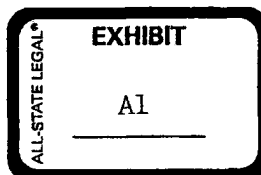
GENERAL OBJECTIONS

The following objections apply to each document request propounded by plaintiff Wayne Van Scoy:

1. Defendants object to these requests to the extent that they seek disclosure of documents and other materials protected by the attorney-client privilege and/or the work product doctrine.
2. Defendants' investigation and trial preparation is continuing. As a result defendants may supplement any of the following responses as necessary.
3. Defendants' responses and production of documents in response to one or more requests shall not be deemed to waiver of these General Objections or any specific objections or deemed an admission that the documents and things are relevant to this case or are admissible in evidence under the Federal Rules of Evidence.

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35. Documents sufficient to show the sales made by Defendants for each year since they began using the mark "Van Scoy Diamond Mine" and/or "Van Scoy Diamond Mine of Delaware."

Response: Documents responsive to this request are located at Defendants' business premises at 1117 Churchmans Road, Newark, Delaware, 19713 and will be produced for inspection and copying, as they are kept in the usual course of business, pursuant to the outstanding protective order, at a time and date which is mutually convenient for plaintiff's counsel, defendants and defendants' counsel.

36. Documents sufficient to show the expenses incurred by Defendants for each year since they began using the mark "Van Scoy Diamond Mine" and/or "Van Scoy Diamond Mine of Delaware."

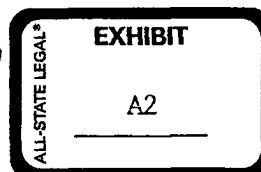
Response: Documents responsive to this request are located at Defendants' business premises at 1117 Churchmans Road, Newark, Delaware, 19713 and will be produced for inspection and copying, as they are kept in the usual course of business, pursuant to the outstanding protective order at a time and date which is mutually convenient for plaintiff's counsel, defendants and defendants' counsel.

37. Documents that comprise a financial statement of Defendant Van Scoy Diamond Mine of Delaware, Inc.

Response: Documents responsive to this request are located at Defendants' business premises at 1117 Churchmans Road, Newark, Delaware, 19713 and will be produced for inspection and copying, as they are kept in the usual course of business, pursuant to the outstanding protective order, at a time and date which is mutually convenient for plaintiff's counsel, defendants and defendants' counsel.

38. Documents that comprise tax returns of all Defendants for the years 1994-2006.

Response: Documents responsive to this request are located at Defendants' business



premises at 1117 Churchmans Road, Newark, Delaware, 19713 and will be produced for inspection and copying, as they are kept in the usual course of business, pursuant to the outstanding protective order, at a time and date which is mutually convenient for plaintiff's counsel, defendants and defendants' counsel.

39. Documents sufficient to show the officers, directors and employees of Defendant Van Scoy Diamond Mine of Delaware, Inc., past and present, along with their job descriptions or responsibilities.

Response: Documents responsive to this request are located at Defendants' business premises at 1117 Churchmans Road, Newark, Delaware, 19713 and will be produced for inspection and copying, as they are kept in the usual course of business, pursuant to the outstanding protective order, at a time and date which is mutually convenient for plaintiff's counsel, defendants and defendants' counsel.

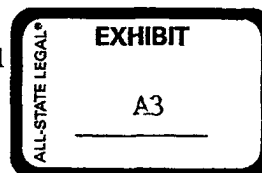
40. Documents sufficient to show the names and addresses of the shareholders or owners of Defendant Van Scoy Diamond Mine of Delaware, Inc. and their respective percentage of ownership.

Response: Documents responsive to this request are located at Defendants' business premises at 1117 Churchmans Road, Newark, Delaware, 19713 and will be produced for inspection and copying, as they are kept in the usual course of business, pursuant to the outstanding protective order, at a time and date which is mutually convenient for plaintiff's counsel, defendants and defendants' counsel.

41. All documents relating to or reflecting the approximate date and circumstances under which Defendants first became aware of Plaintiff's Marks.

Response: Defendants possess no responsive documents.

42. All documents referring to Plaintiffs Marks or Plaintiffs goods and services



FOX ROTHSCHILD LLP

By: 

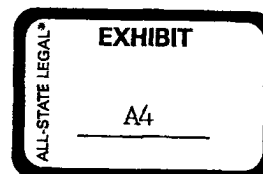
Charles N. Quinn
2000 Market Street
Tenth Floor
Philadelphia, PA 19103
(215) 299-2135

Attorney for Defendants and Counterclaim
Plaintiff

Date: 7 June 2005

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that the date written below adjacent to my signature I served the following document

**DEFENDANTS RESPONSES TO PLAINTIFF'S FIRST
SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS**

on Michael C. Petock, Esquire, as an attachment to e-mails addressed to:

MP@IPLaw-Petock.com and

mfpetock@comcast.net

and on John G. Day, Esquire, as an attachment to an e-mail addressed to:

jday@ashby-geddes.com

and by United States Postal Service first class mail, postage prepaid, to the following addresses:

**Michael C. Petock, Esquire
Michael F. Petock, Esquire
Petock & Pectock LLC
4 The Commons at Valley Forge
1220 Valley Forge Road
P.O. Box 856
Valley Forge, PA 19482-0856**

and

**John G. Day, Esquire
Ashby & Geddes
222 Delaware Avenue, 17th Floor
P.O. B1150
Wilmington, DE 19899**

FOX ROTHSCHILD LLP



Charles N. Quinn

7 June 2005
(date)

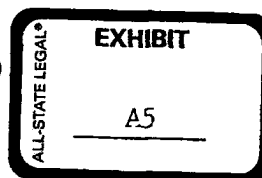


EXHIBIT B

RECEIVED

**UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

JUL 22 2005

MICHAEL F. PETO

WAYNE VAN SCOY,	:	
Plaintiff and	:	Case No. 05-108 (KAJ)
Counterclaim-Defendant	:	
v.	:	
	:	
VAN SCOY DIAMOND MINE OF	:	
DELAWARE, INC.,	:	
KURT VAN SCOY and	:	
DONNA VAN SCOY,	:	
Defendants and	:	
Counterclaim-Plaintiff	:	

**DEFENDANTS' SUPPLEMENTAL RESPONSES TO PLAINTIFF'S FIRST SET
OF REQUESTS FOR PRODUCTION OF DOCUMENTS**

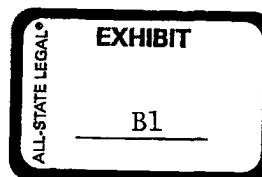
GENERAL OBJECTIONS

The following objections apply to each document request propounded by plaintiff Wayne Van Scoy:

1. Defendants object to these requests to the extent that they seek disclosure of documents and other materials protected by the attorney-client privilege and/or the work product doctrine.
2. Defendants' investigation and trial preparation is continuing. As a result defendants may supplement any of the following responses as necessary.
3. Defendants' responses and production of documents in response to one or more requests shall not be deemed to waiver of these General Objections or any specific objections or deemed an admission that the documents and things are relevant to this case or are admissible in evidence under the Federal Rules of Evidence.

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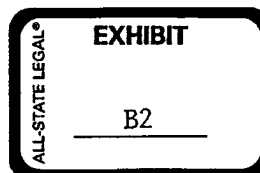
inspection and copying, as they are kept in the usual course of business, pursuant to the outstanding protective order at a time and date which is mutually convenient for plaintiff's counsel, defendants and defendants' counsel.

Supplemental Response: See the documents produced on 27 June 2005 in response to request 16 and 33; additionally, see documents D000144; D000145; D000178; D000181; D000190; D000191; D000188; D000203; D000228; D000231; D000234; D000239; D000245; D000275; D000278; D000280; D000282; D000294 through D000296; D000318 through D000322; D000325; D000327; D000329; D000333; D000334; D000338; D000360 through D000362; D00364 through D000370; D000380; D000386; D000407; D000422; D000424 through D000428; D000431 through D000433; D000457 through D000459; D000465; D000466; D000486 through D000489; D000499 through D000503; D000505 through D000508; D000532 through D000542; D000544 through D000553; D000556 through D000559; D000569 through D000578; D000603; D000608 through D000614; D000617 through D000625; D000629 through D000633; D000638 through D000649; D000662; D000665 through D000669; D000681; D000682; D000684 through 686; D000712 through D000718; D000720 through D000729; D000735 through D000747; D000751 through D000755, all as produced on 27 June 2005.

37. Documents that comprise a financial statement of Defendant Van Scoy Diamond Mine of Delaware, Inc.

Amended Response and Objection: Documents responsive to this request are located at Defendants' business premises at 1117 Churchmans Road, Newark, Delaware, 19713 and will be produced for inspection and copying, by plaintiff's counsel as they are kept in the usual course of business, pursuant to the outstanding protective order, at a time and date which is mutually convenient for plaintiff's counsel, defendants and defendants' counsel after agreement is reached on a modification of the outstanding protective order.

→ 38. Documents that comprise tax returns of all Defendants for the years 1994-2006.



Amended Response and Objection: Defendants object to producing the individual income tax returns of defendants Kurt Van Scoy and Donna Van Scoy as being requested to embarrass and harass defendants Kurt Van Scoy and Donna Van Scoy and as being unlikely to lead to the discovery of relevant evidence. As respecting defendant Van Scoy Diamond Mine of Delaware, Inc., documents responsive to this request are located at the business premises at 1117 Churchmans Road, Newark, Delaware, 19713 and will be produced for inspection and copying by plaintiff's counsel as they are kept in the usual course of business, pursuant to the outstanding protective order, at a time and date which is mutually convenient for plaintiff's counsel, defendants and defendants' counsel, after agreement is reached on a modification of the outstanding protective order.

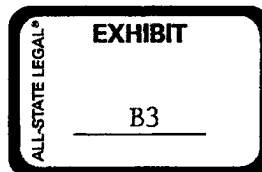
39. Documents sufficient to show the officers, directors and employees of Defendant Van Scoy Diamond Mine of Delaware, Inc., past and present, along with their job descriptions or responsibilities.

Response: Documents responsive to this request are located at Defendants' business premises at 1117 Churchmans Road, Newark, Delaware, 19713 and will be produced for inspection and copying, as they are kept in the usual course of business, pursuant to the outstanding protective order, at a time and date which is mutually convenient for plaintiff's counsel, defendants and defendants' counsel.

Supplemental Response: See the supplemental response to request 47.

40. Documents sufficient to show the names and addresses of the shareholders or owners of Defendant Van Scoy Diamond Mine of Delaware, Inc. and their respective percentage of ownership.

Response: Documents responsive to this request are located at Defendants' business premises at 1117 Churchmans Road, Newark, Delaware, 19713 and will be produced for inspection and copying, as they are kept in the usual course of business, pursuant to the outstanding protective order, at a time and date which is mutually convenient for plaintiff's



are incomplete. Defendants will respond further to this request, as Defendants' trial plans progress. Subject to this objection, all documents not subject to objection were produced previously or have been identified herein as being available for inspection and copying at Defendants' business premises.

74. All documents, data compilations, and tangible things in the possession, custody, or control of Defendants that support or contradict any disputed facts alleged within the pleadings which have not been already produced in response to these Requests.

Response: Defendants object to this request as being premature. Defendants' trial plans are incomplete. Defendants will respond further to this request, as Defendants' trial plans progress. Subject to this objection, all documents not subject to objection have been produced or have been identified herein as being available for inspection and copying at Defendants' business premises.

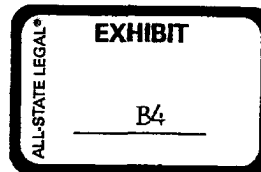
75. All documents and things not previously produced identified in Initial Disclosures of Defendants pursuant to F.R.Civ.P. 26(a) served May 2, 2005.

Response: All documents not subject to objection have been produced or have been identified as being available for inspection and copying at Defendants' business premises. To the extent Defendants possess any such additional responsive documents and things, and things would be located at Defendants' business premises at 1117 Churchmans Road, Newark, Delaware, 19713 and will be produced, as they are kept in the usual course of business, pursuant to the outstanding protective order, at a time and date which is mutually convenient for plaintiff's counsel, defendants and defendants' counsel.

FOX ROTHSCHILD LLP

By: Charles N. Quinn
Charles N. Quinn
2000 Market Street
Tenth Floor
Philadelphia, PA 19103

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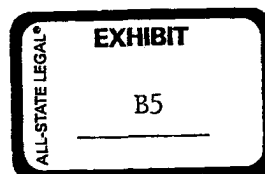
(215) 299-2135

Attorney for Defendants and Counterclaim
Plaintiff

Date: 22 July 2005

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that the date written below adjacent to my signature I served the following document

**DEFENDANTS' SUPPLEMENTAL RESPONSES TO PLAINTIFF'S FIRST
SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS**

on Michael C. Petock, Esquire, as an attachment to e-mails addressed to:

MP@IPLaw-Petock.com and

mfpetock@comcast.net

and on John G. Day, Esquire, as an attachment to an e-mail addressed to:

jday@ashby-geddes.com

and by United States Postal Service first class mail, postage prepaid, to the following addresses:

**Michael C. Petock, Esquire
Michael F. Petock, Esquire
Petock & Petock LLC
4 The Commons at Valley Forge
1220 Valley Forge Road
P.O. Box 856
Valley Forge, PA 19482-0856**

and

**John G. Day, Esquire
Ashby & Geddes
222 Delaware Avenue, 17th Floor
P.O. B1150
Wilmington, DE 19899**

FOX ROTHSCHILD LLP

/Charles N. Quinn/
Charles N. Quinn

22 July 2005
(date)

